FREEDOM OF RELIGION IN GERMANY:
A STUDY OF THEORY AND PRACTICE UNDER THE NATIONAL SOCIALIST REGIME, WITH SPECIAL ATTENTION TO FREE CHURCHES OF AMERICAN AND ENGLISH ORIGIN

BY

CARL WESLEY GAMER

Ph. B., University of Chicago, 1922
S. T. B., Boston University, 1925
M. A., University of Illinois, 1937

AN ABSTRACT OF A THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY IN POLITICAL SCIENCE IN THE GRADUATE SCHOOL OF THE UNIVERSITY OF ILLINOIS, 1940

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The writer lost a trusted adviser, when death suddenly took away Professor James W. Garner. He wishes to express his appreciation to Professor John A. Fairlie for taking his place and supervising the writing of the thesis. He feels likewise indebted to Doctor Otto Meyer and his assistant, Doctor Ursula Lehwald, for giving him so generously of their time and for providing him with a special place for study in Germany's great specialty library on church and state, the *Kirchenrechtliches Institut* of the late Professor Ulrich Stutz; to Professor and Mrs. Hans Lietzmann for their personal interest and for permitting him to live with students in the Johanneum; to Professor Friedrich Giese, to Director Ernst Sommer, to Reverend Bernhard Keip, to Doctor Werner Haugg; to the heads of five of Germany's free churches; to the heads of the Baptist and the Methodist publishing houses in Germany, and to numerous others; last but not least, to Director Windsor for his letters of recommendation and to his expert staff of librarians for their invaluable assistance in getting materials.

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For his master's thesis in 1937 the writer made a study of the relation of church and state in Germany during the Church-Conflict of Bismarck's day. He intended to expand this study for his doctor's thesis and to bring it up-to-date. Soon, however, he discovered that the literature of the period of the Weimar Republic alone was very extensive, so as to make original research difficult. The literature on the Third Reich was rapidly growing. He observed, however, that little was being written on the subject of free churches in Germany, such as the Baptists, the Evangelicals, the Methodists, and the Quakers, though these should be of special interest to Americans. We read mostly about the state churches there: the Lutheran, the Reformed, and the Roman Catholic.

To limit his subject he decided to write principally on the period of the Third Reich, to pay special attention to the free churches, more particularly to those belonging to the Federation of Evangelical Free Churches, because of their English and American origin; furthermore he decided to confine himself to one phase of the relation of church and state, that of freedom of religion as it exists in Germany today.

His advisor, Professor James W. Garner, was very much interested in that subject. As an official lay delegate of the Methodist Episcopal Church to the Oxford Conference he used his influence to have this conference go on record not merely as defending freedom of religion, but to have it state definitely what freedom of religion should mean. The report of the section on church and state in fact contained such a statement.[1]

This thesis is not meant to be a philosophical study of the concept of freedom of religion, nor is it an effort to set up an ideal for such freedom. It seeks rather to determine objectively to what extent religion is free from state intervention in

[1] Oldham, J. H., *The Oxford Conference* (Official Report), New York (Willett, Clark) 1937, 71-73.

contemporary Germany.

After preliminary studies in the United States, the writer spent eight months abroad to get first-hand information. He studied in University libraries at Heidelberg, Frankfurt, and especially at Berlin. In the course of a trip through almost the full length of Germany he met numerous outstanding authorities on the subject and others who could provide him with valuable information. He was given access to material in private files that has never been used for publication and which is used rather sparingly in this thesis; however, it served as background material and gave valuable insight into some delicate situations.

The writer, too, had the good fortune of living in an institution together with a group of about a dozen German and a dozen foreign students from Danzig, Turkey, Greece, Rumania, Bulgaria, Sweden, and Japan, most of whom were studying theology at the University of Berlin to become clergymen of state churches (Protestant and Orthodox-Catholic) in their respective countries; all were well-informed about questions of church and state.

The printed or written materials used for the study were mostly in German. They included official publications of the German government, the National Socialist Party, the German Evangelical (Reich) Church, the Federation of Protestant Free Churches, and individual free churches; collections of laws and speeches by public officials; writings by commentators; books on government, ecclesiastical law, and other related subjects; several published doctors' theses; yearbooks, periodicals, newspapers, and finally manuscripts, official correspondence, and personal letters.

Some information is taken directly from personal conversations and is so indicated in the text. The writer had hoped to submit these passages to the informants for possible corrections; but the war has made this impossible. However, it may be said that the information was always taken down within a few hours of the interviews and supported often by notes made at the time.

It soon became apparent that a study of laws, decrees, and ordinances was not sufficient to determine the relations between the National Socialist State and the churches. Today laws are no longer carried out to the letter by a highly efficient bureauc-

racy, as was the case during the Empire. Very complex political, social, theological, and psychological factors enter in, which the writer has attempted to take into consideration as much as possible. This task is made more difficult because of the great differences between the United States and Germany, differences in their political traditions, the nature of their churches, the training of the ministry, the whole educational system, the material wealth of one nation and the poverty of the other and the resulting hardships endured during the War and the post-war years, with their inevitable social, psychological, and political repercussions. The subject itself is very controversial. Consequently the writer has studied conflicting opinions as well as facts and has sought to explain them.

Chapter one is a study of freedom of religion in general. Constitutional and statutory laws of a number of states (Italy, France, Russia, etc.) and in various periods of history, are examined to show that freedom of religion may exist in greatly varying degrees.

Chapter two describes the difference between free churches and state churches, and the part the former have been playing in the religious life of Germany.

Chapters three, four, and five are an examination of the conflicting points of view held by leaders of churches, officials of the government, and church bodies on the subject of freedom of religion in Germany.

Chapters six, seven, eight, and nine are an examination of the facts involved; while chapter ten is an attempt to summarize the findings so as to give a more complete and objective picture of the status of freedom of religion in Germany today.

The translations of documents and materials used are those of the writer, unless otherwise indicated.

Following is a résumé of the findings: The statements of various government officials clearly show that the National Socialist State does not want to be considered religiously intolerant. Its officials insist that there is freedom of religion in Germany today as there was in the past, some say there is more. No government wants to have the reputation of suppressing "true religion" any more than it wants to be charged with aggression; consequently great efforts are made to "explain" such acts

as seem to be inconsistent with freedom of religion.

There never has been freedom of religion in Germany such as we know it in the United States or such as was advocated at the Oxford Conference. Freedom, where it existed there, has always been a relative matter enjoyed by some and not by others. During the Middle Ages and under the Holy Roman Empire the Catholic Church had a monopoly of religion. Then came the Reformation and with it the principle of *"cuius regio eius religio"*. The confession of the ruler became the confession of the state; but there were still only three recognized churches, the Roman Catholic, the Lutheran, and the Reformed (some others, such as the Jewish faith, were tolerated). When the ruler of the powerful Electorate of Brandenburg, Johann Sigismund, changed from the Lutheran to the Reformed faith (1613), and when subsequently Catholic territories were incorporated to form the state of Prussia, this principle, too, broke down and all three faiths were recognized in Prussia. Other states underwent similar changes. The revolution of 1848 and the constitution granted the Prussian people by their ruler Frederick William IV., in 1850, opened the door to other religious societies that had hitherto been prohibited. The constitution of Weimar in its famous paragraph 137 nominally abolished "state churches" altogether, but did not create the desired religious equality.

During this whole period, there was progress. The National Socialist Government caused a tremendous upheaval, but contrary to popular opinion it continued to extend freedom of religion along certain lines, while in other directions it curtailed important existing privileges.

This fact accounts for the conflicting claims and opinions recorded in Chapters III-V. We note that the views there expressed come on the one hand from leaders of German churches of English and American origin, from leaders of the Old-Catholic and the Russian-Orthodox Churches there, from a high-ranking official of the Angelican Church of Great Britain (who incidentally has not been uncritical of some of the actions of the Archbishop of Canterbury as head of the ecumenical movement), from a prominent political scientist, head of his department in the university and lecturer on the relation of church and state, from the official of the Reich government who has charge of super-

vising the free churches, and from the head of the Reich-ministry of ecclesiastical affairs. On the other side we find the Oxford ecumenical conference of practically all the great churches of the world (except the Roman Catholic), a large group of pastors and churches within the Protestant Church of Germany, the group known as the Confessional Church, the Roman Catholic Church, and some small religious groups suspected of being hostile to or not in sympathy with the State and harboring Communistic elements.

This line-up may be confusing to the uninitiated reader; but certain deductions can be made which reveal that the seemingly conflicting views are actually different interpretations of the same set of facts. Everybody tends to judge from the point of view of his special interests. When we speak of freedom of religion in a country, we do not necessarily mean a condition that applies to all citizens of a state alike. Under the early constitutions of Italy and Mexico (see Chapter I) only those embracing the Roman Catholic faith enjoyed religious freedom. Because it considered itself the true guardian of the faith, the Roman Catholic Church, as in the Middle Ages, desired complete freedom for its own activities, but did not concede it to others, whom it looked upon as heretics or sectarians. The very freedom that it once enjoyed in Mexico and in Italy (and does even now) deprived others of the kind of rights they enjoy in the United States. In other words, the Catholic Church there, too, had a monopoly of religion. In Germany a similar position of high privilege (not to the same extent, however) was shared principally by the three "state churches", the Catholic, the Lutheran, and the Reformed (the two latter in their many forms as territorial churches or *Landeskirchen*).

From the study made it is evident that the National Socialist Government has created for the individual greater freedom of religion by limiting the freedom of these privileged churches. He may now belong to a church or to one of the many new Christian or pagan groups, or, to no religious organization at all. The State does not care. He can hold high office in the State regardless of his religious affiliation. This was not the case in imperial Germany. The church can no longer ostracise him by reading his name from the pulpit, when he withdraws

his membership, since there are penalties for doing so. He can likewise be married or buried by whomever he chooses without losing prestige. Furthermore, the church can no longer exert the psychological pressure it formerly could with regard to baptism and confirmation. The state warns that it may some day make church support voluntary, thus freeing the individual from the legal obligation he still has, as long as he belongs to a "state church", to pay a set amount toward the support of his church.

In the matter of religious instruction, however, the State appears to have gone so far, that it not only make it easy for parents (*e.g.* followers of the Ludendorff cult) to withhold from their children that kind of religious instruction in public schools in which they do not believe, but it makes it more difficult for others to get religious instruction for their children.[2] Thus, loyal Catholics or individuals supporting the Confessional Church or a "sect" that is in disfavor have in many instances had their freedom curtailed.[3]

One might make the general statement that the individual now has more freedom than ever to change his religion or to break away from the church.[4]

This extension of the freedom of the individual is not an indication that the State wants freedom as such. At best it can be said, as Deputy Führer Hess told Mr. Rees, that the State is indifferent toward religion. Its fundamental aim is the unity of the German people and their undivided support. By extending the religious freedom of the individual and by exercising greater control over the church organization and government,

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[2] Religious education has long been a compulsory subject in most public schools of Germany for all children whose parents belong to the state churches. There were even tax-supported schools for Catholics only or for Protestants only (*Confessionsschulen*).

[3] On the bulletin board of the University of Berlin the writer saw a notice of several years' standing, warning that students who take *religious* courses not approved by the university may thereby forfeit their right to study at any and all German universities. The Confessional Church has been giving courses that fall under that category.

[4] At an informal gathering of the official board of a state church the writer heard the principal of a public school say to the gathering: "Formerly it took courage in a small city to stay away from the church; now it takes more courage to go to church than to stay at home".

the State has, no doubt, weakened the state churches, whence might come the most effective organized opposition to its ideology and to some of its measures and political aims.

If we now turn from the individual to the free churches, we find unmistakable evidence of greater freedom there,too. The state no longer lends its strong arm to the privileged churches, as formerly, to check the activities of the free churches by the use of the police and otherwise. It was not even possible especially in the last century, to give publicity to some of these tactics by way of the printed page. Bishop Melle points out, however, that many articles and books were published in America telling the story, and can be found in the German Methodist Library at Cincinnati, Ohio. At present these stories can be told. It is interesting that books and articles are appearing which throw new light on these problems of the past.[5]

Furthermore, the government has permitted some of the free churches to become public corporations (*Körperschaften des öffentlichen Rechts*) after unsuccessful efforts had been made under the Weimar Republic.[6] It has granted them tax exemption privileges that go with such incorporation. They affirm that they have

> full freedom to preach the Gospel of Christ, to carry on evangelistic and pastoral work, to do social service, and to build up their congregations", as Bishop Melle told the Oxford Conference.

There are some restrictions, which they say they do not mind; moreover they have been repeatedly praised by high public officials.

It is conceivable, and perhaps likely, that the State has more than a secondary interest in giving free churches more privileges. By strengthening these it is again weakening the old privileged churches, and at the same time supporting religious

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[5] For example, Luckey, H., *Gottfried Wilhelm Lehmann* und die *Entstehung einer deutschen Freikirche,* 1939, 206; a biography of the founder of the Baptist Church in Prussia, written by a teacher in the Baptist seminary at Hamburg. Sommer, J. W. E., *Christoph Gottlob Mueller von Winnenden,* 1933, 94; a short biography of the man who established the first Methodist society in Germany by the head of the Methodist seminary at Frankfurt (Main).

[6] A number of German states had granted such rights, but only after much negotiation, sometimes covering years, while others refused to grant them.

groups, the majority of whom have been rather loyal to the state, because their religious teachings tell them to be; and because the State did not have much occasion to interfere with their very limited activities. At the same time some of these free churches, though they are very small in Germany, belong to large and powerful church bodies in England and in the United States. A shrewd government might well assume that favorable news coming from these German churches tends to counteract some of the unfavorable reports coming, for instance, from the large Catholic Church in Germany, which, also, has its world-wide fellowship and is therefore a very powerful factor in world opinion. If this interpretation is not correct, there are, nevertheless some patriotic Germans in the free churches who love their fatherland, as so many Germans do, and who hope that the generous policy of the government will have that very effect.

There is the problem of the *Weltenschauung* which has given rise to so much protest within the circles of the state churches. Since the leadership of most free churches under discussion has always been loyal to the state, patriotic in the better sense (even in times of persecution), the state is apparently not inclined to act arbitrarily against them by forcing its *Weltenschauung* down the throats of the members so to speak.[7] It is very doubtful that the race theiry, for instance, as preached by Mr. Alfred Rosenberg, is widely accepted in denominations that believe in the divine inspiration of the Old Testament as well as the New, in the universality of sin among Jew and gentile alike, in the need for repentence for both of these, in the Fatherhood of God, and in the brotherhood of all men. Nevertheless one finds caution and attempts to explain things the "right way".[8]

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[7] Unless we so interpret the experience of the Darbyites. (Ch. VI).

[8] One hears statements to the effect that the Jews were the chosen people, but that they rejected the Christ, and therefore have become a homeless wandering people, pursued, as it were, by a curse resting upon them. This is given as a possible explanation for what is happening in Germany today; but nowhere in these circles did the writer find an approval of the violent tactics that were used against this race. Like so many others they could not understand how in law-abiding Germany the outrages of November 10, 1938, could have happened. In Bolshevik Russia, they said, it would not have surprised; even in the United States, where anti-race feelings produce their annual crop of lynchings, some violence could be expected, but to think that it happened in Germany, that saddened them.

Reichminister Kerrl has asserted that "the innermost urge of the nation is towards freedom of religion". Granted that this is true, and granted, also, that the government has taken some steps to make at least the *individual* more independent in matters of religion, that is, more free to do as he pleases, yet one cannot say that freedom of religion is a primary objective of the National Socialist Government. The first aim of the government is what it calls the "liberation" and reconstruction of the Reich. This is a very popular objective, one which the masses of the people desire perhaps even more than they do freedom of organized religion; for many are quite indifferent toward the church. In addition to this fact the State has the support of practically all groups to this end, including the Confessional opposition, men like Pastor Niemoeller who has approved many of the Reich's moves, loyal German Catholics, etc. This national "freedom" is as much coveted in Germany as was the freedom for which our American ancestors fought, and is constantly held up before the people. Herein lies perhaps the greatest strength of the Movement.

The Führer as head of the Party admonishes his followers in the foreword of the official National Socialist Yearbook (1939):

> "Have faith in liberty. Believe in that which is great and eternal in our people. Faith can move mountains. Faith can, also, free peoples. It can, also, strengthen nations and lead them back, no matter how humiliated they may have been".[9]

Those who are willing to die for this freedom are made heroes. Thus, in the calendar of the above yearbook under date of May 26, on which Albert Leo Schlageter was shot by a French firing squad during the Ruhr invasion in 1923 are to be found the following words:

> "For the rights and the *freedom* of the German people he gave his young life".[10]

To achieve this greater freedom individuals and groups were expected to give up any rights that might interfere with that objective. Thus the bill of rights of the Weimar constitution fell by the wayside.

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[9] *Nationalsozialistisches Jahrbuch,* 1939, 5.
[10] *Ibid.,* 60; underscoring is mine.

To have said outright that the principle of freedom of religion as therein contained must, also, be subordinated to the larger freedoom, would have been a very dangerous policy in view of the deep-seated loyalties of religion. The State recognized the value of religion to uphold the morale of the people, and expected it to support the cause of National Socialism. The leadership principle was beginning to dominate the entire social structure, and it was hoped it could be worked out in the churches as well. To this end the State gave support to those men in the Protestant Church, the German Christians, who were in favor of introducing this principle and who subscribed to the National Socialist ideology. It, thus, attempted to work from within. The relations with the Catholic Church were to be governed by a new Concordat. Free Churches were not drawn into the orbit of the Protestant State Church as was at one time feared, but were left to support the state individually or collectively as a "third pillar" so to speak.

All the while the state insisted through its official spokesmen that there is no conflict between the task of the state and the task of the church. The two have separate spheres, and the church must stay within its own particular sphere. But the state has been deciding what that sphere is and has been enforcing its decisions.

The question as to who should lead produced a bitter conflict within the Protestant state church of Germany, when the "German Christians" met with opposition from the "Confessional Front". A large group of pastors and churches remained neutral. This resulted in the state gradually taking over the leadership of the church through a complex series of laws supposedly of a temporary nature. It thereby set aside the legal rights which the church had enjoyed heretofore under the constitution and the laws; but to say that these rights have been taken away illegally would be to misunderstand the nature of the present government which has been given power through the "Enabling Act" of March 23, 1933, to do almost anything it pleases even to change the constitution by mere cabinet orders.

Government spokesmen continued to insist that they were not interfering with the internal affairs of the Church, *i.e.*, with worship and with faith but only establishing order until such

time as the church can look after its own affairs. They justified this action on the grounds that neither party to the controversy could settle the issue alone, that the general election which the Führer had ordered could not be held, while the conflict was raging, that the unity of the German people was endangered.

These spokesmen claimed that the State saved the church from Bolshevism and hence from extinction, that the church itself must obey the divine command to give unto Caesar what is Caesar's. The state grants special privileges to the state churches and furnishes millions of Marks each year for their support. It recognizes the former state churches as corporations of public law and its pastors and officials as public officials and, therefore, feels that it is entitled to special loyalty on their part and to the supervision which it normally exercises over other public officials and governmental agencies.[11] Careful supervision of the church by the State is considered necessary, especially in a totalitarian state, where in contrast to the liberal state life centers not around the individual and his wishes but around the community as a whole and its needs.[12]

It is easy to see that this official point of view was bound to lead to clashes with the Catholic Church, too, in spite of the Concordat. There is always a narrow and a broad interpretation; some clauses are vague and very flexible, others can be evaded, if the State so desires. The whole system of jurisprudence has undergone a change so as to fit the ideology of the National Socialist State. Moreover the present government is a government of men rather than of laws.

The conflicts between the Catholic Church and the State and between the "Confessional Church" and the State grew principally out of former privileges of the church in fields which the state now claimed as its own. This includes the right to tax-supported public schools for Catholics only or Protestants only and religious instruction in other public schools with the exception of the secularized schools. The State now claimed the field

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[11] See official circular letter to the churches in the Rhineland: *Der Vorsitzende des Provinzialsynodalrates der Rheinprovinz,* Duisburg-Ruhrort, *den B. Februar, 1939. An die evangelischen Gemeinden der Rheinprovinz,* 10a.

[12] *Ibid.,* 7a.

of education; it claimed youth; boys belonging to Hitler Youth could be asked to do duty on Sunday mornings. It required special leave before they could attend church services on such days. Furthermore, sport, public collections, societies for working men or for teachers or for public officials, etc., were declared to be outside the domain of the church. The State expected the church to accept its *Weltanschauung,* which included some distinctly theological concepts that are contrary to the teachings of the church.

From all this it is apparent that the state churches have had their freedom curtailed.

Looking at the situation from the American standpoint, it is important to recognize that these churches for centuries have been highly privileged. They have never been interested in freedom of religion as an ideal, such as we seek under our state and federal constitutions. If they had they would not have tried so hard to retain their privileges at the expense of free churches and sects under the Weimar constitution. The latter sought to abolish special privilege and to bring about more equality of rights in the religious field. These churches have been primarily interested in getting as much freedom for themselves as they could. On that basis there was rivalry even between Catholics and Protestants. With regard to the situation in Bavaria, which was one of the main targets of National Socialist pressure, Keller and Stewart wrote as follows in 1927:

> "The Concordat (of 1925) between the state and the Vatican led not only to absolute liberty of the church within the state, but even to a limitation of the rights of the state in the nomination of university professors and to conditions, according to which only Catholic teachers might be elected to public schools; it being compulsory that their teachings be along Catholic lines even in the study of history. By these stipulations the whole school was, as a matter of fact, handed over by the state to the Vatican, and the school as a public state institution has more or less ceased to exist, whereas formerly all shades of religious opinion had a proper and adequate representation. . . ."[13]

The Protestant group that is involved in the church conflict with the state is the Confessional Church. This represents the

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[13] *Protestant Europe: Its Crisis and Outlook,* 167.

fundamentalist group in German Protestantism. Bishop John L. Nuelsen, who since 1912 has been the American head of the Methodist Episcopal Church in various countries of Continental Europe, addressed the Chicago Preachers' Meeting at City Temple on December 2, 1935, on the subject. He pointed out that Confessional leaders are not struggling for religious liberty in the American sense, but rather for the old-time confessionalism. They want a people's church (*Volkskirche*) to which everyone belongs, just as do their opponents the German Christians. If some leaders of the Confessional Church were in power, they would not tolerate "sects"; they told the bishop personally that these religious groups are not needed in Germany.

Dr. Dibelius, one of the general superintendents of the Protestant state church of Prussia expressed the opinion in 1928[14] that the state ought to be careful about granting religious bodies the rights of a public corporation, because this might cause great difficulties. "Already we are suffering with each step from the cry for equality". What will happen, if they all demand the right to broadcast worship services on Sunday morning (broadcasting stations in Germany are owned and operated by the government), or if they all want their kind of religious instruction in schools, etc.

With regard to the latter, free churches were much more concerned about the apparent discrimination against their young young men and women, when they wanted to teach school. The fact that they did not belong to a state church seemed to be against them, just as in the days of the Empire, even though the Weimar Constitution was supposed to have put an end to that practice. This concern was expressed in meetings of the Federation of Evangelical Free Churches just before the Third Reich was established.[15] Under the latter these conditions were changed, and, also, contrary to the warning expressed above by Dr. Dibelius, Baptists, Evangelicals, and Methodists were permitted to become national public corporations.

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[14] *Wächterstimmen*, Jan.-Feb. '28, 74.

[15] *Tagungen der Vereinigung Evangelischer Freikirchen: 4. Hauptausschusssitzung der Vereinigung Evangelischer Freikirchen in Deutschland*, Nov. 3, '32, in Dresden, 8.

This leads to a few more observations with regard to the free churches, especially those belonging to the Federation. We have already noted that some of these have been favored by the National Socialist government, in contrast to its treatment of the state churches, and we have tried to suggest some reasons for it. We may now add that most of the causes of friction between the State and the privileged churches have been absent. The free churches did not receive tax money, though they were entitled to it under the Weimar Constitution in those states, where they had become public corporations. They did not want it. They insisted on being supported by voluntary contributions, as they are in the United States and in England; therefore, the state did not show much interest in their financial affairs. They did not have their own denominational public schools, as did the Catholic and the Protestant State Churches. They did not have sport organizations or extensive organizations for workmen, teachers, and others mentioned above. They did not believe in a *Volkskirche* to which everyone was more or less compelled to belong. They believed in individual conversion and in membership that was quite voluntary and grew out of a personal desire to belong to the church. Theologically, too, they could not be opposed to the state, for they taught constantly with Romans 13 that all authority is of God and must be respected. There was little occasion for the State to come into conflict with such religious bodies. In many ways they represented the kind of church, which the state desired, devoid of political ambition, willing to leave the education of its youth to the state, unwilling to take taxes from the state for its support. It has consequently favored the free churches.

To summarize some of these observations: there is little freedom of religion in present-day Germany judged by the criteria in the report of the section on church and state of the Oxford Conference,[16] or by the legal guarantees prevailing in the United States. Nevertheless even the churches under fire are enjoying certain major privileges which they do not have here. They have state support running into the millions,[17] which the majority

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[16] See above, p. 1

[17] See Hitler's speech of January 30, 1939.

of pastors and priests would not be willing to surrender, though some members of the Confessional Church have advocated it. Religion is still being taught in public schools at the expense of the state, though the public schools for Catholics only or for Protestants only (the confessional schools) have largely been replaced by mixed schools for children of all denominations with only religious instruction separate; the purity of this instruction in many places has been questioned and its effectiveness likewise in view of conflicting teachings in National Socialist *Weltanschauung*. In the United States Catholics and Lutherans have the very difficult problem of financing their parochial schools, while parents at the same time must pay taxes for the public schools which their children do not attend; at the same time it is against the law here that religion be taught in the public schools by public school teachers.

The church situation is still in flux, in the opinion of outstanding authorities with whom the writer had an opportunity to confer, and also of Professor Weber who has published two volumes of the laws, ordinances and decrees affecting the churches.[18] The religious situation is by no means uniform in the Reich. The Reichminister of ecclesiastical affairs may know definitely what he wants, but he does not know whether his orders will be carried out. Not even the Führer can be certain that his decrees will be obeyed in the field of religion, as he himself admitted in his Reichstag speech of January 30, 1939. At best these can be regarded as normative. At times they are ignored by the church, at times subordinate party officials (*Gauleiter*) themselves ignore them by either exerting power they have to the disadvantage of the church or by failing to carry out sharp measures against the church. They take into account the political situation. Thus, it may happen that a national decree is handled very differently in various political subdivisions.

In a speech just prior to the Protestant church elections of July 23, 1933, the Führer stated

> "Even as Christianity and later on the Reformation had their gigantic political consequences, so every revolution in the political and national life of a people (*politisch-völkische*

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[18] Weber, Werner, *Neues Staatskirchenrecht*, 1938, 14.

Umwälzung) affects the destiny of the churches".[19]

This is strikingly true in Germany. It would merit a thorough study to determine just what basic changes have taken place in the teachings and the practices of the various churches under this impact. However, these developments are but one aspect of a general and world-wide process in which, according to the Oxford Conference,[20] the very foundations are being shaken as perhaps only once or twice before in human history.

While we in the United States are prone to watch the dramatic happenings in Germany with a rather critical eye we are apt to overlook the fact that economic and social forces in our own country especially during the depression years in a much more subtle way have been forcing the churches and the ministry to take sides or to suffer the consequences. The cry for "personal religion", which does not touch upon anything except the salvation of the individual quite apart from his life in society, has been heard in this country as it is heard in National Socialist Germany of today; according to these voices the church is not wanted as the conscience of society or of the State.

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[19] Gehl, Walther, *Die Jahre I-IV, II*, 184.
[20] Oldham, *op. cit.*, 55.

VITA

The writer was born on November 15, 1899, at Chicago, Illinois. For three years he attended the public school in his native city. In 1909 his father retired from business and took the family to Europe for a prolonged stay. During this time the writer attended the *Ober-Realschule* at Baden-Baden, Germany, and the *Städtische Reform Real-Gymnasium* at Wiesbaden, from which he was graduated after passing the *Abiturienten Examen*, on March 13, 1919.

Upon his return to Chicago he spent one year each at Armour Institute of Technology, and Baldwin-Wallace College. He finished his undergraduate work at the University of Chicago in 1922 with the degree of Ph.B. Three years later he received an S.T.B. degree from Boston University School of Theology.

From 1926-1927 he spent eight months with the first University World Cruise, which visited about thirty countries in four continents under the direction of Dean James E. Lough of New York University. He remained in Belgium and France to improve his French, and two months later (1927) he enrolled in Sir Alfred Zimmern's School of International Studies, at Geneva, Switzerland.

After his return to the United States, the writer joined the Illinois Conference of the Methodist Episcopal Church and served charges at Reddick-Campus (1928), Mazon (1928-1932), Georgetown (1932-1934), and the student charge of Ludlow-Thomasboro (1934-1937).

In 1935 he entered the graduate school of the University of Illinois, and received the Master's degree in February, 1937. The school year of 1938-1939 was spent in Germany gathering material for his doctor's thesis. He completed his graduate work in June, 1940.